

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

SEAN D. RIES, JOHN R. MURRAY,
PHILIP C. HENRY, STEPHEN H.
WEDEL, and others similarly situated,

Plaintiffs,

v.

ALLMERICA FINANCIAL
CORPORATION, ALLMERICA
FINANCIAL LIFE INSURANCE AND
ANNUITY COMPANY, and
FREDERICK H. EPPINGER, JR.,

Defendants.

Civil Action No. 04-0898


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OPT-OUT STATEMENT OF DEFENDANTS

Defendants, ALLMERICA FINANCIAL CORPORATION, ALLMERICA FINANCIAL LIFE INSURANCE AND ANNUITY COMPANY, and FREDERICK H. EPPINGER, JR., pursuant to Local Rule 16.2.4.B, hereby opt out of the Court Annexed Arbitration Program under Local Rule 16.2 and state that they do not consent to such arbitration in this matter.

MANION McDONOUGH & LUCAS, PC

By:


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Dated: June 17, 2004

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And FREDERICK H. EPPINGER, JR.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the within OPT-OUT STATEMENT OF DEFENDANTS was served on the 17th day of June, 2004 by first-class mail, postage prepaid, upon the following counsel of record::

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